Remarks/Arguments

Claims 1-20 are now pending in this application. In the November 14, 2006 office action ("the action"), the specification of the application was objected to as being inexact. In the action, claims 9-10 and 19-20 were rejected under 35 U.S.C. §101 as being directed to non-statutory subject matter. Claims 10 and 20 were rejected under 35 U.S.C. §112, first paragraph, as having undue breadth. Claims 1-20 were also rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 6,560,660 to Flanagin (hereinafter *"Flanagin"*) in view of U.S. Patent No. 6,317,798 to Graf (hereinafter *"Graf"*).

By this amendment, claims 10 and 20 have been cancelled, and claims 1, 3, 9, 11, 13, and 19 have been amended. Following entry of this amendment, claims 1-9 and 11-19 will be pending in the present application. For the reasons set forth below, the applicant respectfully requests reconsideration and immediate allowance of this application.

Objections to the Specification

The November 14, 2006 office action objects to the specification under 35 U.S.C. §112, first paragraph as being "replete with terms which are not clear, concise, and exact." The applicant respectfully disagrees and submits that the specification complies with all of the requirements of 35 U.S.C. §112. The applicant does agree that several typographical errors were present in the application as originally filed and thanks the examiner for the careful review of the specification in this regard. As a result, the applicant has herein amended the specification to correct these typographical errors. No new matter has been added by way of these amendments. Accordingly, the applicant respectfully submits that all the objections to the specification under 35 U.S.C. §112 have been overcome.

Claim Rejections Under 35 U.S.C. §101

The November 14, 2006 office action rejected claims 9-10, and 19-20 under 35 U.S.C. §101 as being directed to non-statutory subject matter. Claims 10 and 20 have been cancelled by the foregoing amendment. Claims 9 and 19 have been amended to recite a "computer storage media" rather than a "computer-readable medium" as present in these claims as originally filed. Support for the term "computer storage media" can be found in the specification at least at page

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9, lines 7-15. Accordingly, the applicant respectfully submits that the rejection of claims 9 and 19 under 35 U.S.C. §101 has been overcome and that these claims are in condition for immediate allowance.

Claim Rejections Under 35 U.S.C. §112

The November 14, 2006 office action rejected claims 10 and 20 under 35 U.S.C. §112 as having undue breadth. Claims 10 and 20 have been cancelled by the foregoing amendment. The action also rejected claims 1-10 under 35 U.S.C. §112 as failing to comply with the enablement requirement and as being indefinite. In this regard, the action states that claim 1 suggests an operation for determining whether a communications port is incompatible with console redirection, which is unsupported in the specification.

The applicant respectfully submits that claim 1 as originally filed includes a definite recitation for determining whether a device incompatible with console redirection is connected to a communications port. Nonetheless, the applicant has amended independent claim 1 to more clearly recite the claimed subject matter. In this regard, claim 3 has also been amended to provide consistency with amended independent claim 1. The applicant therefore respectfully submits that the rejection of claims 1-9 under 35 U.S.C. §112 has been overcome and that these claims are in condition for allowance.

Claim Rejections Under 35 U.S.C. §103(a)

The November 14, 2006 office action rejected claims 1-20 under 35 U.S.C. §103(a) as being unpatentable over *Flanagin* in view of *Graf*. The applicant respectfully submits that the cited references do not, separately or combined, teach each and every recitation of amended independent claim 1. In particular, the cited references do not teach, suggest, or describe "determining whether a communications port has been enabled for utilization with a BIOS-provided console redirection feature" as recited in independent claim 1. In this regard, the cited portion of *Flanagin* (Col. 3, lines 26-32) describes an operating system receiving requests for use of a serial port and granting exclusive use of the serial port to the first requesting application program. Accepting requests to use a serial port and granting such requests as set forth by *Flanagin* is not the same as determining whether a port has been enabled for use with a BIOS-provided console redirection program as recited in claim 1. Because *Flanagin* does not teach

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determining whether a communications port has been enabled for console redirection, it also does not teach "in response to determining that a communications port has been enabled for console redirection, determining whether a device connected to the communications port is incompatible with console redirection" as recited in independent claim 1. The cited references also do not teach "in response to determining that an incompatible device is connected to the communications port, disabling the BIOS-provided console redirection feature" as recited in independent claim 1.

The applicant also respectfully submits that there is no teaching, suggestion, or motivation to combine *Flanagin* and *Graf* in the manner suggested in the action. The action states that it would have been obvious to combine the references "in order to manage I/O operations of the server from a remote location and to troubleshoot boot problems from the remote location." The benefits that may result from a combination of the references do not, however, provide a motivation for combining the references in the suggested manner. Rather, the action is viewing the references with impermissible hindsight vision afforded by the claimed invention. Accordingly, the applicant respectfully submits that the combination of references set forth in the action is improper and that amended independent claim 1 is allowable over the cited references.

With respect to amended dependent claim 3, neither of the cited references teaches "transmitting data on the communications port for reception by the device," "determining whether a receive buffer of the communications port contains data following the transmission of data on the communications port," or "determining that the device connected to the communications port is incompatible with console redirection in response to determining that the receive buffer contains data following the transmission of the data on the communications port." In this regard, *Flanagin* teaches determining if a compatible device is connected to a serial port by monitoring for the receipt of a predefined character string from a device when the device is connected. If the predefined character string is not received, then the device is determined to be not compatible. See, e.g., Figure 3, operation 106 (initialization string received or not received); Col. 4, lines 62-67; and Col. 5, lines 1-11 ("If this string is <u>received</u> by base computer 20 within a predetermined period after the peripheral device is connected, port monitor 54 concludes that the connected device is a compatible device")(emphasis added). Monitoring for receipt of a character string as described by *Flanagin* is not the same as the recitations of amended

dependent claim 3 for transmitting data on a port and determining that an incompatible device is connected in response to finding that a receive buffer contains data following the transmission. Accordingly, the applicant respectfully submits that the cited references do not teach each and every recitation of amended dependent claim 3.

The office action also states with regard to dependent claim 3 that "it was known in the art at the time the invention was made for a non-UART device (such as a mouse) connected to a communications port to respond to the toggling of the DTR line in a register...by sending data to the UART of the server, and to read a line status register... to determine that the receive buffer of the communications port contains data..." The office action, however, provides no teaching in the prior art for this broad assertion that these technical features were known in the art. The applicant therefore respectfully requests that a prior art reference be cited in order to support this assertion or that this assertion be withdrawn.

With respect to dependent claims 4 and 6, the applicant respectfully submits that neither of the cited prior art references teaches the recitations of this claim for implementing a BIOS-provided console redirection feature by a compressed redirection module, disabling the console redirection feature by not uncompressing or executing the redirection module, and enabling the redirection feature by decompressing the redirection module and executing the decompressed module. In this regard, neither of the cited references mention the use of compressed programs in any form.

With respect to claim 4, the office action also states that "it was known in the art at the time the invention was made to store an application program in a compressed format and not uncompressing the application program until the application program is needed due to memory constraints..." The office action, however, provides no support in the prior art for this broad assertion that these technical features were known in the art. The applicant therefore respectfully requests that a prior art reference be cited in order to support this assertion or that this assertion be withdrawn. The applicant further submits that dependent claims 4 and 6 are in condition for immediate allowance.

With respect to amended independent claim 11, neither of the cited references teach "determining whether a non-UART device is connected to the communications port" or "in response to determining that a non-UART device is connected to the communications port, disabling the BIOS-provided console redirection feature." In this regard, *Flanagin* does not

mention the term UART and therefore makes no teaching regarding determining whether a non-UART device is connected. Rather, *Flanagin* teaches determining whether a device is connected that is compatible with the operation of a program by monitoring for the receipt of a predefined string from a connected device. *Graf* does teach the use of UART, but makes no teaching regarding determining whether a non-UART device is connected to a communications port. As discussed above with respect to claim 1, the applicant also respectfully submits that there is no motivation to combine the references in the manner suggested in the action. Accordingly, the applicant respectfully submits that amended claim 11 is in condition for immediate allowance.

With respect to amended independent claim 13, the cited references do not teach "transmitting data on the communications port for reception by a device connected to the communications port," "determining whether a receive buffer of the communications port contains data following the transmission of the data on the communications port," or "determining that a non-UART device is connected to the communications port in response to determining that the receive buffer contains data following the transmission of the data on the communications port." As discussed above with respect to amended dependent claim 3, *Flanagin* teaches identifying a device that is incompatible with an application program by monitoring for the receipt of a predefined string from the device. *Flanagin* does not teach transmitting data on a port and determining whether a non-UART device is connected by determining whether a receive buffer contains data following the transmission as recited in claim 13. Moreover, as discussed above with respect to claim 11, *Flanagin* makes no teaching regarding the determination of whether a connected device is a UART device or a non-UART device. Similarly, *Graf* teaches the use of a UART, but teaches nothing regarding how to determine whether a connected device is a UART device or a non-UART device. Accordingly, the applicant respectfully submits that the cited references, either separately or combined, do not teach each and every recitation of dependent claim 13.

With respect to dependent claims 14 and 16, the applicant respectfully submits that neither of the cited prior art references teaches the recitations of this claim for implementing a BIOS-provided console redirection feature by a compressed redirection module, disabling the console redirection feature by not uncompressing or executing the redirection module, and enabling the redirection feature by decompressing the redirection module and executing the decompressed module. As discussed above with respect to claims 4 and 6, neither of the cited

references discuss the use of compressed programs in any form. Accordingly, the applicant respectfully submits that the cited references do not teach each and every recitation of claims 14 and 16 and that these claims are in condition for allowance.

The applicant also respectfully submits that claims 2, 5, 7-9, 12, 15, and 17-19 contain recitations not taught, suggested, or described in the cited references. These claims are also allowable because they depend from allowable independent claims. Accordingly, the applicant respectfully submits that claims 2, 5, 7-9, 12, 15, and 17-19 are in condition for immediate allowance.

Conclusion

In view of the foregoing amendment and remarks, the applicant respectfully submits that all of the pending claims in the present application are in condition for allowance. Reconsideration and reexamination of the application and allowance of the claims at an early date is solicited. If the Examiner has any questions or comments concerning this matter, the Examiner is invited to contact the applicant's undersigned attorney at the number below.

Respectfully submitted,

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